

1 to receive your own exhibits. Now I think I have taken care
2 of that. Is there any other preliminary stuff that we have
3 to take care of, Mr. Schoenbohm?

4 MR. SCHOENBOHM: I have one short question.
5 Obviously the Bureau will probably cross-examine me and if I
6 have an objection as to any of the questioning, relevance or
7 whatever, how would you like me to raise that objection?

8 JUDGE STEINBERG: Well, I could say you could run
9 from the witness chair back to your chair there say
10 "objection" and then run back.

11 MR. SCHOENBOHM: , right.

12 JUDGE STEINBERG: But I won't do that. If you
13 have an objection just say you have an objection and I will
14 rule. And I think it will be easier that way.

15 MR. SCHOENBOHM: All right, thank you.

16 JUDGE STEINBERG: And so anything from the
17 Bureau's side?

18 MR. SHOOK: Well, Your Honor, we have our exhibits
19 but I believe those can wait.

20 JUDGE STEINBERG: Okay. Yes, I was going to
21 finish with Mr. Schoenbohm's exhibits and then do the
22 Bureau's exhibits. And unless there is something that you
23 wanted introduced through Mr. Schoenbohm.

24 MR. SHOOK: Well, in all likelihood the exhibits
25 will be introduced through Mr. Schoenbohm. So it is up to

1 you in terms of whether we do it as the questions arise or
2 if we do it now.

3 JUDGE STEINBERG: Yes, let's do it as the
4 questions arise. You've got maybe five exhibits and so I
5 didn't -- it didn't make much sense to do it on a wholesale
6 basis like I have done the 56 of Mr. Schoenbohm. Okay, let
7 me just ask are the three people in the back going to be
8 witnesses or are you just --

9 MR. SCHOENBOHM: One of them.

10 JUDGE STEINBERG: Just one witness?

11 MR. SCHOENBOHM: Yes.

12 JUDGE STEINBERG: Okay. And then there are two
13 supporters to hold up a "Yea, Go Herb, Go."

14 Okay, when we get the questioning I am going to
15 ask the gentleman who is going to be the witness to go into
16 the witness room because I don't like witnesses to hear
17 other witnesses' testimony. Okay, why don't we get started.
18 Let me, Mr. Schoenbohm, do you want to take the witness
19 chair.

20 MR. SCHOENBOHM: Certainly.

21 JUDGE STEINBERG: I actually like it better over
22 here.

23 Whereupon,

24 HERBERT L. SCHOENBOHM

25 having been first duly sworn, was called as a witness

1 herein, and was examined and testified as follows:

2 JUDGE STEINBERG: Please be seated.

3 DIRECT TESTIMONY

4 JUDGE STEINBERG: Let me just start the ball
5 rolling. Would you state your name and address for the
6 record, please?

7 THE WITNESS: Herbert L. Schoenbohm. My address
8 is St. Croix, Virgin Islands. Street address?

9 JUDGE STEINBERG: Sure.

10 THE WITNESS: Number 74 Union, Mt. Washington. My
11 mailing address is P.O. Box 4419, Kingshill.

12 JUDGE STEINBERG: That's Virgin Islands, right?

13 THE WITNESS: Yes. U.S. Virgin Islands, Zip Code
14 00851.

15 JUDGE STEINBERG: Okay. Do you have a copy of
16 your exhibits in front of you?

17 THE WITNESS: Yes, I do.

18 JUDGE STEINBERG: And take a look at Schoenbohm
19 Exhibit No. 1. And is that your signature on the bottom?

20 THE WITNESS: It is indeed.

21 JUDGE STEINBERG: And is the information in this
22 exhibit true and accurate to the best of your knowledge and
23 belief?

24 THE WITNESS: Yes. And I would like to offer it
25 in evidence if I could.

1 JUDGE STEINBERG: Okay, let met just ask do you
2 have any changes you want to make?

3 THE WITNESS: This is different than the one that
4 was e-mailed to you.

5 JUDGE STEINBERG: Okay.

6 THE WITNESS: The one in the book, in the binder
7 is -- the wording is --

8 JUDGE STEINBERG: Okay. Then we will have to work
9 with the one in the book and the binder. Any others?

10 THE WITNESS: And the one that the reporter has
11 are all correct.

12 JUDGE STEINBERG: Okay. So the one in the e-mail,
13 that was e-mailed to me is not the one in the book?

14 THE WITNESS: That's correct.

15 JUDGE STEINBERG: Okay.

16 THE WITNESS: So I will have to work with the one
17 in the book.

18 JUDGE STEINBERG: I have an extra copy for
19 Attorney Shook.

20 MR. SHOOK: Have we seen this before?

21 JUDGE STEINBERG: Well, Mr. Schoenbohm said the
22 wording is slightly different.

23 THE WITNESS: Slightly different. And I can draw
24 your attention --

25 MS. LEAVITT: Yes, would you identify?

1 THE WITNESS: -- to the wording that was
2 different.

3 MS. LEAVITT: Uh-huh.

4 THE WITNESS: The original one said that I, prior
5 to my conviction --

6 MS. LEAVITT: I'm sorry, what paragraph are we on?

7 THE WITNESS: This is the second paragraph.

8 MS. LEAVITT: Okay.

9 THE WITNESS: I'm sorry, first -- yeah, second
10 paragraph. First paragraph after the declaration of the
11 laws of perjury. I made a statement that there was no
12 speeding ticket prior to the conviction.

13 I did receive, after finding out, a speeding
14 ticket which was not a conviction. In 1962 in Minnetonka
15 County there was a speedtrap. However, it was -- I want to
16 make sure that this statement reflects the absolute truth
17 and candor because I lost the last time on that issue
18 bigtime. And this is my true statement that I've got here
19 now. That's the only change to it.

20 MR. SHOOK: Your Honor, may I note at this point
21 that the witness who is going to be testifying.

22 JUDGE STEINBERG: Oh, yes. Yes,, right. Could
23 you just go back into the witness room? Thank you.

24 MR. SHOOK: Thank you.

25 THE WITNESS: Nothing else on all of these

1 exhibits has changed. The language in --

2 JUDGE STEINBERG: So the only thing that has
3 changed was "I have never been convicted of any felony or
4 serious crime of any kind"?

5 THE WITNESS: That is correct. Prior to that
6 time.

7 JUDGE STEINBERG: Okay. And then the rest of the
8 exhibit is identical --

9 THE WITNESS: That is correct.

10 JUDGE STEINBERG: -- to what we have? Okay.
11 Okay. Now, okay, so that, so you changed something. Is
12 there anything you want to add to your statement?

13 THE WITNESS: The only thing I wanted to add is
14 that I am here pro se, not out of disrespect but out of
15 practicality. I am a -- I work from paycheck to paycheck.
16 I'm a government employee currently. And I did for eight
17 years litigating this case before use legal counsel. And
18 I'm not trying to show any disrespect for the process in
19 coming here by myself. And that's basically it.

20 JUDGE STEINBERG: Okay, any objection to the
21 receipt of Schoenbohm Exhibit 1?

22 MR. SHOOK: Your Honor, we will withhold any
23 objections or motions to strike until we have had a chance
24 to cross-examine Mr. Schoenbohm.

25 JUDGE STEINBERG: Okay. Now, Mr. Schoenbohm, are

1 you available for cross-examination now?

2 THE WITNESS: Certainly.

3 JUDGE STEINBERG: Okay.

4 THE WITNESS: Yes.

5 CROSS-EXAMINATION

6 BY MS. LEAVITT:

7 Q Good morning, Mr. Schoenbohm.

8 A Good morning.

9 Q Are you familiar with the October 1997
10 Supplemental Initial Decision?

11 A Yes, I am, I am familiar with it.

12 Q Okay. You are familiar that the Commission
13 determined that you had misrepresented a material fact to
14 the Commission and that you were lacking in candor regarding
15 --

16 A Yes.

17 Q -- your April 1, 1997 testimony about your felony
18 conviction?

19 A Yes.

20 Q For violating Section 1029(a)(1) of the U.S.
21 Criminal Code?

22 A Yes.

23 Q Okay. And you are also aware that in that October
24 1997 Supplemental Initial Decision, the Commission also
25 determined that you had misrepresented a material fact to

1 the Commission and that you were lacking in candor regarding
2 your April 1, 1997 testimony about your violation of Section
3 1.1210 of the Commission's Ex Parte Rules?

4 A Yes, I am familiar with that.

5 Q Okay. The Commission denied your renewal
6 application for Station KB4FZ based in part on your
7 misrepresentations and lack of candor in your testimony at
8 the April 1, 1997 remand hearing, correct?

9 A That is correct.

10 Q Okay. And are you familiar with the July 1998
11 Commission decision affirming the Administrative Law Judge's
12 supplemental decision?

13 A Yes, I am.

14 Q Okay. And you also recall, do you not, that in
15 October 1998 the Commission denied a petition for
16 reconsideration that you had filed of the Commission's
17 decision affirming the 1997 decision?

18 A Correct.

19 Q Okay. You filed an appeal with the U.S. District
20 Court of Appeals, District of Columbia Circuit.

21 MR. SHOOK: Circuit Court of Appeals.

22 BY MS. LEAVITT:

23 Q Circuit, I'm sorry, Circuit Court of Appeals.

24 Thank you. Challenging the Commission's decision to deny
25 your petition for reconsideration?

1 A Correct.

2 Q Are you aware that the Court of Appeals ruled that
3 there was substantial evidence to support the FCC's findings
4 that you had made misrepresentations and lacked candor in
5 your testimony regarding both your felony conviction and
6 your efforts to induce ex parte communications with the
7 Commission?

8 A If I can answer that by saying that the Court of
9 Appeals decided that the Commission indeed has the
10 discretion to make that determination and that they felt
11 they did not have, based on the case, the jurisdiction to
12 overturn that, that what the Commission did was well within
13 the bounds of the four corners of its discretion.

14 Q Okay. You challenged that Court of Appeals
15 decision though, didn't you?

16 A Yes, I did.

17 Q And how did you do that?

18 A I filed a petition with the U.S. Supreme Court.

19 Q And what happened to that?

20 A The cert. was denied.

21 Q Okay. Do you remember what date that was?

22 A I have it in my files but.

23 Q I think it was October 30, 2000.

24 A That sounds very close.

25 Q Okay. When did you file your now pending

1 application for a new amateur license?

2 A The application was filed March 31 electronically
3 as a result of taking an examination at the University of
4 Puerto Rico.

5 Q Okay. What year was that?

6 A In two -- I have the certificate. It's part of
7 the -- Can I just?

8 Q Sure. Absolutely.

9 A It's written, right on the certificate. It's one
10 of the exhibits.

11 Q Was it two --

12 A It was 2001.

13 Q Okay. So --

14 A March 31, 2001, to the best of my knowledge.

15 Q Okay. So that was about five months after the
16 Supreme Court denied your petition for certiorari?

17 A Yes.

18 Q Okay.

19 A If I could just say something. There is a reason
20 that I did so. And there was a suggestion from the Bureau
21 that there was nothing before them. In response to a
22 political letter that you have a copy of the Commission
23 responded, I think either Kowalski or Hammer or both, that
24 if Mr. Schoenbohm wants to have his amateur license back he
25 must take an examination and proceed through the normal

1 process. On the strength of that recommendation I went and
2 took the examination I think two weeks after the receipt of
3 the letter, flew to Puerto Rico and took the general class
4 exam. Two weeks later on St. Croix I took the extra class
5 exam. I passed them both.

6 Q Okay. Thank you. Did the Commission grant your
7 application?

8 A They did not grant the application but they
9 suggested it is being looked at.

10 Q And that's why we're here today because --

11 A The result of the hearing is the outgrowth of that
12 process.

13 Q Right. Because there wasn't sufficient evidence
14 to determine whether or not you possessed the character
15 qualifications to hold a license?

16 A That's what the hearing designation order
17 specified.

18 Q Right. Okay, thank you. On April 9 -- in fact,
19 specifically the Commission designated your application for
20 hearing to determine whether you have, and I quote, "been
21 sufficiently rehabilitated such that the Commission could be
22 confident that you could be relied upon to deal with the
23 Commission in an honest and forthright manner"?

24 A Yes. That's the sentence, yes.

25 Q Okay. On April 19, 2002 you submitted a statement

1 to the Commission which has been labeled Exhibit 1. And you
2 signed that letter, your Statement of Herbert Schoenbohm,
3 dated April 17, 2002, correct?

4 A Yes.

5 Q And you made that statement under penalty of
6 perjury, didn't you?

7 A Yes, I did.

8 Q Okay. In this statement, April 17, 2002, you
9 mention that at the time of your earlier hearings before the
10 FCC you were in a state of denial believing that you had
11 been wrongfully convicted of a crime that you did not
12 commit, is that correct?

13 A That's correct.

14 Q Okay. In that April 17, 2002 statement you also
15 said that you, and I quote, "have to work especially hard to
16 demonstrate that you are capable of obeying the law and, in
17 particular, the FCC's rules and regulations," right?

18 A Yes.

19 Q Your April 17, 2002 statement does not contain
20 anything acknowledging the Commission's prior findings of
21 misrepresentation and lack of candor that was determined
22 that you engaged in in your prior testimony before the
23 Commission. There is nothing in here regarding that, is
24 there?

25 A No. And it's not required I don't believe.

1 Q Okay. Please tell us then what has changed
2 between 1997, that's the date that the Commission first
3 denied your renewal application based in part on your
4 misrepresentations and lack of candor, and March 30 or April
5 4, 2001 which is the date I believe the Commission actually
6 received your application for a new license?

7 A I would beg you to -- the 1997 was the ruling.

8 Q Right. When the Commission --

9 A The facts related to the hearing are what I
10 proffered to the Commission that resulted in the lack of
11 candor occurred much earlier than that.

12 Q Well, there was, I believe there was also an April
13 1, 1997 remand hearing at which the Judge took additional
14 testimony regarding whether or not you had --

15 A Right. He brought up, I think very clearly
16 brought up the fact that by not admitting to the
17 solicitation of an ex parte violation that that was an
18 expression of lack of candor.

19 Q Right.

20 A When it appeared on its face and the Commission
21 already determined that that was in their view a violation
22 of the solicitation provision of the ex parte rule.

23 Q Right. And I think at the April 1, 1997 remand
24 hearing there was also testimony that you provided regarding
25 the nature of your felony convictions. And --

1 A Yes.

2 Q -- the judge determined that there was
3 misrepresentation and lack of candor?

4 A He determined there was misrepresentation because
5 he felt that in a portion of my testimony I mentioned the
6 word "possession" rather than "use."

7 Q Right.

8 A But in other parts of the testimony I clearly said
9 "possession and use" because that was what the law,
10 1029(1)(D) --

11 Q (a)(1).

12 A -- is possession or use of a counterfeit access
13 device. And that is also why I included the statement of
14 the prosecuting attorney where he told the jury of the
15 possession in the defendant's mind or in the mind of
16 intangibles. This was an outgrowth of an attempt to
17 explain, as my attorney argued, that this was not a blue
18 box, not a mechanical device, not a stolen credit card, but
19 the charges grew out of access codes which were possessed in
20 one's mind. But there is no question that my conviction on
21 count 1 was based on the use of a single access device.

22 Q Okay. Well, can you tell us since that time that
23 your license, since that time of the remand hearing
24 testimony what events or what has changed that would justify
25 the Commission now, after having found at that time that you

1 had engaged in misrepresentation and lack of candor, what
2 has changed now to convince the Commission that you possess
3 the requisite character to be granted a license?

4 A My status in the community, my continued work
5 record, my cooperation with the FCC, with major
6 investigations that are ongoing that are part of my
7 exhibits, my cooperation with the local government officials
8 in drug enforcement and volunteer work. Everything that I
9 have done since that time continues to show an effort for
10 rehabilitation and to demonstrate that I am a good person,
11 reliable person in the community and not break any other
12 laws. And continue to attempt to rebuild my life in the
13 wake of the 1992 conviction that was over ten years ago.

14 Q Can you explain a little bit about your statement
15 about cooperating with the FCC in major investigations?

16 A Yes. I work in the Department of Property and
17 Procurement. We are -- and I am on the evaluation committee
18 of all government radio purchases, remain so. And other
19 government agencies have been purchasing radios without
20 going through our department, without going through the
21 competitive bidding process and buying gray market radios,
22 Pro Series Motorola radios which are not licensed for use in
23 the United States Virgin Islands because they are
24 noncompliant.

25 I wrote a letter to my -- to the chief legal

1 counsel for our department. He gave me the green light
2 being appointed as their so-called radio site inspector for
3 the property that we maintain for the government to try to
4 develop as much information on what agencies, some of our
5 law enforcement, Bureau of Corrections, the Attorney
6 General's Office, the Virgin Islands Police Department were
7 using these illegal radios. I also sent a letter to Joe
8 Casey of the Enforcement -- I believe of the Enforcement
9 Branch, pointing out to the fact that these radios were
10 being proliferated in the Virgin Islands. There has been an
11 ongoing case, it has not come to its conclusion, but it is
12 being handled by your branch. I made numerous
13 communications with your field personnel in Puerto Rico,
14 Ruben Jusino, and have been cooperating with him in trying
15 to get information, invoices, serial numbers, locations of
16 radios.

17 In addition to that, when I inherited the job of
18 site manager for the Recovery Hill repeater site, which is
19 under the jurisdiction of the Department of Property and
20 Procurement, I immediately issued a plan of attack to get
21 all the illegal, unlicensed, not properly licensed or wrong
22 location squatters that had moved in over the past ten years
23 and were using the facility.

24 So as far as continuing to assist the FCC as best
25 I can in a remote area of the world where there really isn't

1 any presence, I am very proud of what I've done. And no
2 matter what the outcome of this hearing is I will continue
3 to do it.

4 Q Okay, thank you.

5 JUDGE STEINBERG: Can I ask a question? Didn't
6 you do this type of thing, I am talking about help the FCC
7 enforce the rules and regulations before you got in trouble
8 with the FCC?

9 THE WITNESS: Yes.

10 JUDGE STEINBERG: Okay. So that really hasn't
11 changed. You did it before, you're doing it now?

12 THE WITNESS: In a different way. Before it was
13 amateur radio related. Now it is not amateur radio related
14 because I am not an amateur radio operator

15 JUDGE STEINBERG: , right. But I mean the
16 principle is the same that can I characterize you as a law
17 and order type of guy?

18 THE WITNESS: Absolutely.

19 JUDGE STEINBERG: Okay. And that --

20 THE WITNESS: Please don't call me a
21 whistleblower.

22 JUDGE STEINBERG: No. No, that was never my
23 intent. And I don't think of it in those terms. But you
24 see things that are being done that are not in compliance
25 with the FCC rules and regulations and you take it upon

1 yourself to do something about it?

2 THE WITNESS: Absolutely.

3 JUDGE STEINBERG: And you did it before you got in
4 trouble and you're doing it after you got in trouble?

5 THE WITNESS: Yes, sir.

6 JUDGE STEINBERG: Was your work record before you
7 got in trouble as good as it is now? I know you lost your
8 job --

9 THE WITNESS: I lost my job.

10 JUDGE STEINBERG: -- as a result of the
11 conviction. But I mean before that you had a good work
12 record?

13 THE WITNESS: I had a good work record before
14 that, yes, sir.

15 JUDGE STEINBERG: And you got letters of
16 commendation and like that?

17 THE WITNESS: Yes, I did. Also from the FBI which
18 were used in previous hearings. And I was named hero of
19 Hurricane Hugo for having the only communications facility
20 available, that I maintained myself, so rescue people could
21 be brought down, the 18th Airborne brought down when we were
22 in absolutely a state of chaos. The island was devastated.
23 There was no communication at all.

24 I did similar things after Hurricane Marilyn in
25 1995, although I wasn't -- I mean I got some commendations

1 for that. But the government for some reason calls on me
2 when everything else fails. They have done that for some
3 time. Even the political opposition party. And you asked
4 that on admission on what work I did for WSTX. After
5 Hurricane Marilyn they were just off the air and the
6 authorities asked me to go down and see what I could do to
7 restore them to operation. So that was done on a voluntary
8 basis. Although now I have a contract with them, a small
9 contract to maintain their equipment when they have
10 problems.

11 JUDGE STEINBERG: Okay. Before you got in trouble
12 in your own opinion how would you characterize your status
13 in your local community?

14 THE WITNESS: Well, I was a member of the, had
15 always been elected to the Territorial Committee of the
16 Republican Party. And I was always selected since 1980 to
17 represent the Virgin Islands at the political convention,
18 Republican Convention, 1980, '84, '88, '92.

19 I didn't go in '92 because my conviction occurred
20 so I withdrew my name. And I was also selected for San
21 Diego but I didn't go because I got more votes from the
22 lieutenant governor, a Republican. And it was embarrassing
23 because he had signed my, my NOPA, which is Notice of
24 Personal Action, so I stepped aside to let him go instead.

25 But I have recently been selected, the high

1 votegetter as Territorial Committee. It's my only gauge of
2 how I look to the rest of the community. They don't view me
3 as Charles Manson but I am elected as well as a nonelected
4 official. And recently I was selected as the statement
5 chairman of the Republican Party on an interim basis with
6 the resignation of our chairman.

7 JUDGE STEINBERG: Okay. Now, before you got in
8 trouble did you do volunteer work?

9 THE WITNESS: Yes, I did.

10 JUDGE STEINBERG: And you continue that?

11 THE WITNESS: Yes, I continue the volunteer work.

12 JUDGE STEINBERG: Is it about the same, about the
13 same level as it was before?

14 THE WITNESS: Honestly it is not the same level
15 because of the fact I've gotten older and winding down with
16 enthusiasm. I can't --

17 JUDGE STEINBERG: That does seem to happen,
18 doesn't it?

19 (Laughter.)

20 THE WITNESS: I try. When I'm called I go.

21 JUDGE STEINBERG: So you're doing a little bit
22 less now?

23 THE WITNESS: I'm doing a little bit less now. On
24 Saturday and Sunday we had a triathlon on the island and I
25 did some work during the triathlon. I was out in the sun --

1 I'm sorry for the red lobster look -- from 5 in the morning
2 till noon.

3 JUDGE STEINBERG: It's called healthy. Healthy
4 look. Do you have anything on the basis of what I have?

5 MR. SHOOK: Well, we have some other areas that we
6 would like to explore. And not to try to confuse you, it
7 just turns out that these are matters that I know a little
8 bit more about so I'm going to be asking those questions
9 rather than Ms. Leavitt.

10 JUDGE STEINBERG: Oh, okay. Oh, I thought you
11 were, I thought you kind of were finished, so.

12 MR. SHOOK: Well, no, not exactly. But we will
13 try to make this as brief and painless as possible.

14 JUDGE STEINBERG: No, if you want to expand on
15 your -- I guess I read you wrong. I read your body language
16 wrong.

17 MR. SHOOK: I'm trying to stay awake.

18 JUDGE STEINBERG: I didn't mean it that way.

19 MR. SHOOK: Anyway, sorry about all the levity.

20 BY MR. SHOOK:

21 Q Mr. Schoenbohm, you had mentioned that with
22 respect to WSTX Hurricane Marilyn had some role in that you
23 in turn entered the picture at that point.

24 A I want to correct that. It was Hurricane Lenny is
25 when I went down and restored their operation, not Hurricane

1 Marilyn. Marilyn was in '95. Lenny I believe was in '99.
2 I misspoke. There are so many hurricanes. I know Hugo for
3 sure because people in the Virgin Islands set their clocks,
4 it was a month after Hurricane Hugo or a year after
5 Hurricane Hugo is when my house was rebuilt, or some
6 statement like that. But it was Hurricane Lenny when I
7 restored them to on-air operation, it was not Hurricane
8 Marilyn. In fact, they did not lose their antenna in
9 Hurricane Marilyn and I think for the most part they stayed
10 on the air through that hurricane. It was WVWI in St.
11 Thomas that lost their antenna after Hurricane Marilyn.

12 Q Well, I want to focus everyone's attention on WSTX
13 AM and FM. I'm not going to worry about those other
14 stations. If it turns out something comes up in a question
15 that gives you reason to raise those other stations, that's
16 fine, but my focus for now is going to be on WSTX.

17 A I understand.

18 JUDGE STEINBERG: That's "T" as in Tom?

19 MR. SHOOK: , right. WS, Sam, T, Tom, X, X-ray.

20 BY MR. SHOOK:

21 Q So your first contact with the WSTX people
22 occurred after Hurricane Lenny?

23 A No. That's not correct. In fact, I began working
24 for WSTX in 1968 when I first came to the Virgin Islands.
25 And I worked for them for a period of years until I believe

1 1984. For a period of time I was actually living with my
2 family at the transmitter.

3 And then the station -- then I went to Ohio in
4 1985 for to work for Pinzonne Communications as a national
5 sales rep. I had taken a year leave of absence from my
6 government job.

7 And then I returned to the Virgin Islands not
8 working for WSTX, nor did I work for WSTX as an employee
9 from 1986 all the way down to I think about approximately a
10 year ago. I had been at times been asked to help them out.
11 I think I installed a console for them, an audio console
12 that had been the very audio console that had been used in
13 the station that had been destroyed by a hurricane in St.
14 Thomas had been donated to them. They had fallen into hard
15 times. They were having great difficulties maintaining
16 their facilities. And I did in the interim do some
17 assistance to them.

18 I did go to the station after -- at one point I
19 was considered or I had been appointed by Chairman White as
20 the EBS chairman for the island. That I lost after the '92
21 conviction. But still locally if there was a problem with
22 the EBS or EAS system I was asked to come and see what I
23 could do because I was familiar with the SAGE/NDEC method of
24 producing the signal. And I did go to the station at one
25 time, I don't remember the exact date, and found a problem

1 with a printer that was the subject of a citation, a fine or
2 whatever that the station had been involved in. They asked
3 me to come and assist and see what I could do to fix the
4 problem because there was a change in management at the
5 station.

6 Q Mr. Schoenbohm, this may be more useful in the end
7 if both of us try to narrow our focus and be relatively I
8 mean as specific as we can in terms of dates.

9 A Okay.

10 Q Just to clarify something, with respect to your
11 earlier relationship with WSTX, the management or the
12 ownership of WSTX in that period 1960 whatever it was you
13 mentioned to the mid-1980s is different, --

14 A Yes.

15 Q -- is it not, --

16 A Yes, sir.

17 Q -- than the management now?

18 A Yes, sir.

19 Q Now, I just want to focus your relationship, focus
20 on your relationship with WSTX under its current ownership.

21 A Could I ask you a question regarding that?

22 Q Well, let me ask the questions --

23 A Okay. Okay, okay.

24 Q -- and then I will give you a chance to answer and
25 explain.

1 JUDGE STEINBERG: If you need a clarification just
2 ask.

3 THE WITNESS: All right. I wanted to ask you
4 about a clarification about the current ownership or
5 management.

6 BY MR. SHOOK:

7 Q Well, we'll get into that.

8 A Okay.

9 Q We'll get into that. In terms of, so we
10 understand each other when I use the term "current
11 ownership" I am referring to the licensee, Family
12 Broadcasting, Inc., which as we currently understand the
13 situation --

14 A Yes.

15 Q -- the stock is owned by, primarily by Gerard Luz
16 James and his wife Asta James?

17 A Yes.

18 Q That would be your understanding as well?

19 A Yes. Yes.

20 Q And the current management of WSTX is Mr. and Mrs.
21 James' daughter Barbara James Peterson --

22 A Correct.

23 Q -- correct?

24 A Correct.

25 Q Now, in terms of your starting to work with Mr.

1 and Mrs. Luz James that took place before or after Hurricane
2 Marilyn?

3 A After.

4 Q After. Did you have any work relationship of any
5 kind with Family Broadcasting, Inc. before Hurricane
6 Marilyn?

7 A Not that I'm aware of.

8 Q Now, how did it come about that you started a work
9 relationship with Family Broadcasting, Inc.?

10 A To answer the question my first work relationship
11 was with the employees of the station who implored and
12 begged me to come and fix some things that were not working
13 properly. And this was the time when the new management was
14 coming into play that they said that I had certain skills
15 and abilities that could help them out.

16 And the first thing I did was install a Autogram
17 console and remodel the studio and fix the EAS problem and
18 give them advice about the fence, also gave them information
19 to contact a competent attorney that they would need and a
20 competent consulting engineer in order to put the station in
21 the mode that it would require in order to pass Commission
22 scrutiny based upon my knowledge.

23 Q Now, who was it --

24 A And the employees that first contacted me it was
25 not Gerard Luz James. In fact, he had a political